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CRL OP No. 17890 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 17890 of 2025

K.Gopi

Petitioner

Vs

State Rep. By
The Inspector of Police,
Magudanchavadi Police Station, Salem
District. Crime No.193 of 2025

Respondent

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant the anticipatory bail in to the petitioner in the event of arrest in connection with Crime No.193 of 2025 on the file of respondent police.

For Petitioner(s): Mr.T.N.Rangesh Kanna

For Respondent(s): M/s. R. Vinoth Raja Ga (crl.
Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent Police for the offences under Sections 189(2), 296(b), 115(2), 118(1) and 351(2) of BNS Act 2023, in Crime No.193 of 2025, on the file of the respondent, seeks anticipatory bail.

2. The case of the prosecution is that, due to previous enmity, petitioner along with other accused abused and assaulted the defacto complainant by using bamboo stick and iron rods, due to which, defacto complainant sustained injuries. Hence the case.

3. The learned counsel for the petitioner is innocent; that he has been falsely implicated in this case; and that in any case custodial interrogation of the petitioner is not required for the purpose of investigation, hence, he prayed for grant of anticipatory bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for granting



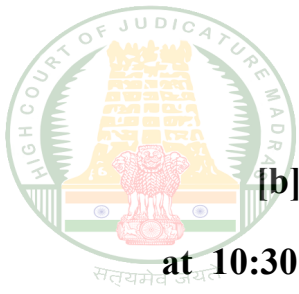
anticipatory bail to the petitioner.

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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and also perused the materials available on record.

6. Considering the submissions made on either side; nature of allegation; that the co-accused already arrested and released on bail and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-2, Sankari** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



[b] the petitioner shall report before the respondent police everyday at 10:30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];**

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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- 1.State Rep. By
The Inspector of Police,
Magudanchavadi Police Station, Salem
District. Crime No.193 of 2025
- 2.The Judicial Magistrate-2, Sankari.
- 3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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